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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,273	07/31/2001	Klaus Hofrichter	80398.P456	5706

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Florin Corie
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER

VAN HANDEL, MICHAEL P

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/920,273	Applicant(s) HOFRICHTER ET AL.	
	Examiner Michael Van Handel	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-22,24-28,30-43,45-49,51-64 and 66-77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-22,24-28,30-43,45-49,51-64 and 66-77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is responsive to an Amendment filed 2/21/2006. Claims **1, 3-7, 9-22, 24-28, 30-43, 45-49, 51-64, 66-77** are pending. Claims **1, 3-7, 9-22, 24-26, 30, 32, 43, 45-47, 51, 64, 66-68** are amended. Claims **2, 8, 23, 29, 44, 50, 65** are canceled.

Response to Arguments

1. Applicant's arguments filed 2/21/2006 with respect to the objection to the specification under 35 U.S.C. § 112, first paragraph have been fully considered and are persuasive. Therefore, the objection to the specification has been withdrawn.
2. Applicant's arguments filed 2/21/2006 with respect to claims **1, 3-7, 9-22, 24-28, 30-43, 45-59, 51-64, 66-77** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1, 3-7, 9-22, 24-28, 30-43, 45-49, 51-64, 66-77** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of Knudson et al.

Referring to claims 1, 4, 6, 7, 10, 17, 22, 25, 27, 28, 31, 38, 43, 46, 48, 49, 52, 59, 64, 67, 69-71, and 74, Lewis discloses a computerized method comprising:

- receiving, by a storage system 14, encoded data from a server (p. 14, paragraphs 142, 143 & Fig. 7);
- processing, by the storage system, said encoded data to obtain a plurality of signals, wherein the processing is in response to a request from a user, and wherein said processing further comprises:
 - o decoding said encoded data to obtain decoded data; and
 - o converting said decoded data into said plurality of signals (p. 13, paragraph 139 & p. 15, paragraphs 158, 159);
- storing said encoded data in the storage system (p. 7, paragraph 76 & p. 15, paragraph 157); and
- transmitting, by the storage system, said plurality of signals through a second connection to a display device (p. 15, paragraph 159 & Figs. 1, 2a, 6, & 7).

Lewis further discloses that the local VPR/DMS 30 may be locally connected to cable receivers and satellite receivers (p. 12, paragraph 130). Lewis does not disclose that a separate computer routes encoded data from the server to the storage system through a first digital connection.

Knudson et al. discloses receiving video, audio, and data signals by a set-top box 28 and streaming the data to an external digital storage device 31 via an IEEE 1394 bus (col. 7, l. 65-67; col. 8, l. 1-12; & Fig. 3). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the VPR/DMS of Lewis to receive data from a set-

top box via an IEEE 1394 bus, such as that taught by Knudson et al. in order to provide an easy to use bus interface for connecting consumer electronics.

Referring to claims **3, 24, 45, and 66**, the combination of Lewis and Knudson et al. teaches the computerized system/method according to claims 1, 22, 43, and 64, respectively, wherein the server is operated by a service provider (Lewis col. 12, paragraph 131 & Fig. 6).

Referring to claims **5, 26, 47, and 68**, the combination of Lewis and Knudson et al. teaches the system/method according to claims 1, 22, 43, and 64, respectively. The combination of Lewis and Knudson et al. does not teach that the first digital connection is a Universal Serial Bus (USB) connection; however, the examiner takes Official Notice that it is well known within the prior art to send and receive data via a USB connection. It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Lewis and Knudson et al. to include a USB connection, such as that taught by the prior art in order make the system compatible with a commonly used network bus.

Referring to claims **9, 30, and 51**, the combination of Lewis and Knudson et al. teaches the system/method according to claims 1, 22, and 43, wherein said processing further comprises storing said encoded data in a storage module, and wherein said storage module is a dedicated audio/video capable hard disk storage unit (Lewis p. 15, paragraph 157).

Referring to claims **11, 18, 32, 38, 39, 53, 60, and 72**, the combination of Lewis and Knudson et al. teaches the computerized system/method according to claims 1, 22, 43, and 65. Lewis further discloses that a user interface for controlling processing functions may include software programs utilizing computer ports to generate the control signal (p. 8, paragraph 81). Knudson et al. further discloses controlling program recording and other features involving a

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storage device by the set-top box (col. 7, l. 45-46). The combination of Lewis and Knudson et al. does not teach receiving a processing request from the set-top box through said first digital connection; however, the examiner takes Official Notice that it is well known within the prior art to control devices over an IEEE 1394 interface. It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Lewis and Knudson et al. to include communicating a control signal over an IEEE 1394 bus, such as that taught by the prior art in order to reduce the cost of connecting consumer electronics.

Referring to claims **12, 33, 54, 73, and 75**, the combination of Lewis and Knudson et al. teaches the computerized system/method according to claims 1, 22, 43, and 65, wherein said processing further comprises receiving said request via an input signal from a remote control device handled by said user (Knudson et al. col. 7, l. 46-51).

Referring to claims **13, 34, and 55**, the combination of Lewis and Knudson et al. teaches the computerized system/method according to claims 10, 31, and 52, respectively, wherein said decoding further comprises:

- storing video data of said decoded data in a frame buffer together with graphics data associated with said video data (Lewis p. 17, paragraphs 178, 179); and
- transmitting audio data of said decoded data to a converter module (Lewis p. 13, paragraph 139).

Referring to claims **14, 35, and 56**, the combination of Lewis and Knudson et al. teaches the computerized system/method according to claims 13, 34, and 55, respectively, wherein said converting further comprises:

- retrieving said video data and said graphics data from said frame buffer; and

- converting said audio data, said video data, and said graphics data into said plurality of signals (Lewis p. 15, paragraph 159).

Referring to claims **15, 16, 36, 37, 57, and 58**, the combination of Lewis and Knudson et al. teaches the computerized system/method according to claims 1, 22 and 43, wherein each signal of said plurality of signals is an analog signal and wherein the said second connection is an analog connection (Lewis p. 13, paragraph 139).

Referring to claims **19, 40, 61, and 76**, the combination of Lewis and Knudson et al. teaches the computerized system/method according to claims 1, 22, 43, and 72, respectively, wherein said encoded data is audio/video data in a compressed format (Lewis p. 9, paragraph 88).

Referring to claims **20, 41, and 62**, the combination of Lewis and Knudson et al. teaches the computerized system/method according to claims 13, 22, and 55, respectively, wherein said video data is stored in said frame buffer for a predetermined period of time prior to being transmitted to said display device (the examiner notes that Lewis discloses an Instant replay function that is programmable to review a pre-selected or pre-programmed number of seconds or minutes of programs being viewed in real time)(Lewis p. 22, paragraph 229).

Referring to claims **21, 42, 63, and 77**, the combination of Lewis and Knudson et al. teaches the computerized system/method according to claims 13, 22, 43, and 64, respectively, wherein said display device is a television set (Lewis p. 12, paragraph 130).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Boyle discloses a method and apparatus for storing a stream of video data on a storage medium.

Safadi et al. discloses a personal versatile recorder and method of implementing and using the same.

Na discloses an apparatus for and method of creating a device page for a device, which does not support a predetermined protocol on a home network.

Kuno et al. discloses a recording/reproducing apparatus that has inputting means for receiving a data packet, which is based on IEEE 1394.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Van Handel whose telephone number is 571.272.5968. The examiner can normally be reached on Monday-Friday, 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571.272.7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Note to Applicant

Art Units 2611, 2614 and 2617 have changed to 2623. Please make all future correspondence indicate the new designation 2623.

Michael Van Handel
Examiner
Art Unit 2623

MVH



**VIVEK SRIVASTAVA
PRIMARY EXAMINER**